

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***In re Application of*

Moon &amp; Mao

Serial No. 10/045,400

Filed: November 29, 2001

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Atty. Dkt. No. 006586.00003

**For: DAP-KINASE AND HOXA9, TWO HUMAN GENES ASSOCIATED WITH  
GENESIS, PROGRESSION, AND AGGRESSIVENESS OF NON-SMALL CELL  
LUNG CANCER**

**DECLARATION OF LI MAO**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

I, Li Mao, hereby declare the following:

1. I am named as a co-inventor of the subject matter disclosed and claimed in application Serial No. 10/045,400.
2. To the extent that Tang *et al.*, *J. Natl. Cancer Inst.* 92, 1511-1516, 2000 discloses the subject matter of Serial No. 10/045,400, it discloses my contribution to the invention.
3. Six other authors of Tang *et al.* are not named as co-inventors of the subject matter disclosed and claimed in Serial No. 10/045,400. The contributions of each of these co-authors to the work reported in Tang *et al.* is as follows.

4. Under my direction and supervision, Ximing Tang performed all laboratory experiments reported in the study.

5. At my request, Fadlo R. Khuri provided clinical information of the subjects examined in the study.

6. At my request, J. Jack Lee directed and supervised statistic analysis of the data in the study.

7. At my request, Bonnie L. Kemp verified pathological diagnosis of tumors examined in the study.

8. At my request, Diane Liu performed statistic analysis under supervision of J. Jack Lee.

9. At my request, Waun Ki Hong helped to interpret data and participated in discussions of the findings in the study.

10. None of the authors whose work is described in paragraphs 4-9 above contributed to the conception of the invention disclosed and claimed in application Serial No. 10/045,400.

14. All statements I made in this declaration of my own knowledge are true. I believe all the statements I made in this declaration on information and belief are true. I made these statements with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

05/13/05

Date

Li Mao, M.D.